

Appl. No. 09/755,939
Amdt. Dated September 26, 2003
Reply to Office action of July 31, 2003
Attorney Docket No. P12659/27943-00400USPT
EUS/JIP/03-8057

REMARKS/ARGUMENTS

1.) Amendments

The Applicants have amended Claim 18. Accordingly, Claims 1-14 and 16-28 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103 (a)

The Examiner rejected claims 1-10, 17-19, 21, 26-17 under 35. U.S.C § 103(a) as being unpatentable over Mills (U.S. Patent No. 5,915,225) in view of Baker (U.S. Patent No. 6,505,046).

Applicants respectfully disagree with the Examiner's rejection and offer the following remarks. In rejecting independent Claim 1, the Examiner stated that Mills failed to "teach for the receiving a service unsolicited by the mobile telecommunications device from B2B engine based on the real time information." The Examiner then stated that "[h]owever, Baker teaches the system process and enables a retail establishment or restaurant to advertise in real-time to local consumers. This is accomplished by transmitting coupons or advertisements to wireless subscribers."

Applicants agree with the Examiner that the Baker system discloses transmitting coupons or advertisements to wireless subscribers. However, such coupons or advertisements are transmitted only in response to the wireless subscribers soliciting such services or information by calling a particular number. As clearly illustrated in Fig. 6 of Barker, the subscriber solicits or requests such coupons or advertisements to be transmitted to his or her wireless handset by first dialing a predefined number as

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advertised by the retailer. Only in response to receiving such a call connection, does the wireless service node (WSN) provide the coupons back to the requesting wireless handset. Such a process is further explained in Barker wherein it states that:

"the distribution process is triggered when subscribers visit a retail location and dial a pre-defined, advertised number using a radiotelephone. The process derives the subscriber's location from the mobile origination and compares this to the retailer records stored in the database for that location. The process then sends messages with coupons or advertisements to the subscriber for each retailer or advertiser listed for that particular location." (Barker, Col. 2, lines 19-27).

Accordingly, Applicants respectfully submit that Barker also fails to disclose or teach a system "receiving a service unsolicited by the mobile telecommunications device from B2B engine based on the real time information." On the contrary, the Baker system only provides such service (providing coupons or advertisements) upon receiving specific solicitations from the mobile device.

In comparison, in accordance with the teachings of the present invention, an application unit in communication with a SIM card gathers realtime information related to the mobile telecommunications device wherein the forward means forwards the collected realtime information to the B2B engine. The receiving means then receives services "unsolicited" by said mobile telecommunications device from said B2B engine based on said realtime information. Applicants respectfully submit that Baker simply fails to disclose or teach the presently claimed invention and independent Claim 1 is in condition for allowance.

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Furthermore, Claims 2-10 further depend on now allowable independent Claim 1 and recite additional novel limitations thereto. As an example, Claim 3 further recite that upon the mobile station powering on/off, an initiating means is initiated to communicate with the SIM card. An illustration of this claimed invention is further described in page 18 of the present application wherein it states that:

"As a result, whenever that particular mobile subscriber turns his mobile station on, such realtime information will be provided to the weather information provider by the B2B engine. The weather information provider will, in turn, automatically provide the current weather information associated with that particular location to the mobile subscriber. The mobile subscriber need not manually request weather information nor does the user have to manually enter his current location."

Applicants respectfully submit that nowhere does Baker disclose such a claimed invention and further submit that the Examiner's cited portion of Baker in rejecting Claim 4 deals with turning off and on a certain field within a text message field as transmitted by the retailer and has really nothing to do with the mobile station's power being turn on or off and triggering a particular event as presently claimed.

Applicants therefore respectfully submit that Baker not only fails to disclose such unsolicited services being provided by the B2B engine as claimed, but the Baker subscriber actually has to solicit for such services to be provided by dialing a predefined number associated with such services. Applicants accordingly believe independent Claim 1 and its dependent Claims are patentable over the cited references.

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2.) Claim Rejections – 35 U.S.C. § 102(e)

The Examiner further rejected Claims 11-14, 16, 20, 22-25 and 28 under 35 U.S.C. 102 (e) as being anticipated by Baker. Applicants submit that independent Claims 11 and 22 also recite similar limitations of "receiving a service unsolicited by said mobile telecommunications device from said B2B engine based on said realtime information" and, for at least the same reasons as provided above, independent Claims 11 and 22 and their respective dependent Claims are also in condition for allowance.

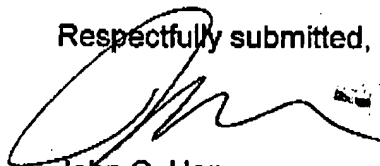
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CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for Claims 1-14 and 16-28.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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